IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY

NOHORA SCHEPER, **3701 GREGG ROAD #A** **BROOKEVILLE, MARYLAND 20833** **Plaintiff,** **v.** **SHOPPERS FOOD WAREHOUSE CORP.** **18140 VILLAGE CENTER DRIVE** **OLNEY, MARYLAND 20832** **Principal Office: 11840 Valley View Road** **Eden Prairie, Minnesota 55344** **To Serve:** **The Corporation Trust Incorporated** **351 West Camden Street** **Baltimore, Maryland 21201**	))))))))))))))))	**CASE NO.**

COMPLAINT FOR DAMAGES

COMES NOW, NOHORA SCHEPER, Plaintiff, by and through her undersigned counsel, and files this Complaint for Damages against Defendant Shoppers Food Warehouse Corp., and in support thereof states as follows:

1. That Plaintiff Nohora Scheper is an adult citizen of the State of Maryland and a resident of Montgomery County.
2. That Defendant Shoppers Food Warehouse Corp. is an Ohio corporation, registered and authorized to transact business in the State of Maryland, conducting business at the above-stated address in Montgomery County, Maryland, and may be served through its registered agent for service, listed above.

3. That on or about April 9, 2014, around 4:00 p.m., Plaintiff entered Shoppers Food Warehouse store located at 18140 Village Center Drive, Olney, Maryland 20832, as she had in the past, to purchase her groceries.
4. That Plaintiff was lawfully and properly on the store premises.
5. That Plaintiff completed her purchase and began to leave the store around 4:15 p.m.
6. That Plaintiff exited from the above-referenced store in a careful, reasonable, prudent and deliberate manner.
7. That, as Plaintiff exited the store, she took a few steps and then tripped and fell over an object lying on the ground at the exit door.
8. That, prior to the fall, Plaintiff was not aware of nor did she have reason to be aware of the object lying on the ground at the exit door.
9. That Plaintiff fell to the ground, landing on her right knee and elbow and experiencing immediate pain.
10. That, while on the ground, Plaintiff observed that a water hose had been laid across the exit from the store, stretching to several large planters outside the store and that a Shoppers Food Warehouse Corp. store worker was watering said plants.
11. That there were no warning stores indicating the presence of the hose across the exit from the store.
12. That Plaintiff did not know nor did she have reason to become aware that a hose was stretched across the exit from the store.

13. That Defendant failed to advise Plaintiff nor other invitees of the store of the presence of the hose.
14. That Plaintiff was unable to get off of the ground due the significant pain she was experiencing.
15. That Plaintiff was transported to Montgomery General Hospital for the injuries she sustained.
16. That solely as a direct and proximate result of the failure of the Defendant to advise or make proper warning of the hazardous condition present on April 9, 2014, Plaintiff sustained serious and severe injuries to her person, including, but not limited to, the following injuries: a torn lateral meniscus; right elbow pain; neck and back pain and soreness; anxiety; humiliation; stress; and structural deformity and other serious and severe personal injuries.
17. That solely as a direct and proximate result of the injuries aforementioned, the Plaintiff has incurred damages, including:
    a. Medical expenses;
    b. She has, may, and probably will for an indefinite time in the future suffer great pain, inconvenience, embarrassment, and mental anguish;
    c. She has, may, and probably will for an indefinite time in the future be deprived of ordinary pleasures of life, loss of well-being, and equanimity; and
    d. Her overall health, strength, and vitality has been greatly impaired.

COUNT I
NEGLIGENCE OF THE DEFENDANT

18. Plaintiff incorporates herein by reference hereto the allegations of paragraphs 1 through 17 above as if more fully set forth herein at length.

19. That Defendant had a duty of care to Plaintiff and those shoppers like her at all times at the subject store on April 9, 2014.

20. That Defendant breached its duty of care owed to Plaintiff at the subject store on April 9, 2014.

21. That the aforesaid incident occurred as a result of and was directly and proximately caused by the careless, negligent, grossly careless, and reckless conduct of the Defendant, Shoppers Food Warehouse Corp., which consisted *inter alia* of the following breaches of the standard of care:

    a. Failing to properly supervise the exit of its store in question so as to furnish to Plaintiff a safe and level egress from the store, free from hazards which were recognized or should have been recognized by Defendant, as causing or likely to cause serious physical harm to the Plaintiff and others;

    b. Failing to maintain the egress from its store in question in a safe condition to insure that the Plaintiff would not be caused to slip and fall as a result of the hose which was placed across the exit from the store and which was known and should have been known to the Defendant;

    c. Failing to maintain the premises owned, operated and/or maintained by the Defendant in good and safe condition for the Plaintiff and others;

d. Failing otherwise to comply with the applicable laws and regulations of the State of Maryland and the applicable Federal laws and regulations;

e. Failing to provide adequate or any notice or warning of the hazardous condition which it created;

f. Otherwise failing to exercise the degree of care required under the circumstances; and

g. Otherwise being negligent.

22. That, as a direct and proximate result of the aforesaid conduct and breach of care of the Defendant Shoppers Food Warehouse Corp., Plaintiff sustained the injuries, losses, and damages which were more fully described above, without any negligence of Plaintiff contributing thereto.

WHEREFORE, Plaintiff Nohora Scheper demands judgment against the Defendant, Shoppers Food Warehouse Corp., in an amount in excess of SEVENTY-FIVE THOUSAND DOLLARS ($75,000.00), together with attorney's fees, costs, interest and all other relief as is just and proper.

Respectfully submitted,

Robert J. Goldman
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Attorney for Nohora Scheper

PRAYER FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all matters triable before a jury.

Robert J. Goldman